

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LEAR CORPORATION,

Plaintiff,

VS.

**TS TECH USA CORPORATION,
TS TECH NORTH AMERICA, INC. and
TS TECH CANADA, INC.**

Defendants.

HONORABLE T. John Ward

CIVIL ACTION NO. 2:07-cv-406 (TJW)

JURY TRIAL DEMANDED

DOCKET CONTROL ORDER

In accordance with the case status conference held herein on the 1st day of May, 2008, it is hereby

ORDERED that the following schedule of deadlines is in effect until further order of this court:

August 2, 2010 Jury Selection - 9:00 a.m. in Marshall, Texas

July 23, 2010 Final Pretrial Conference - 9:30 a.m. in Marshall, Texas

The parties are ordered to **meet and confer** on their respective motions in limine and **advise the court of any agreements in this regard by 3:00 p.m. the business day before the pretrial conference**. The parties shall limit their motions in limine to those issues which, if improperly introduced into the trial of the case would be so prejudicial that the court could not alleviate the prejudice with appropriate instruction(s).

July 23, 2010

Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Susan Simmons, at lsimmons@yahoo.com.

July 16, 2010 Objections to Witnesses, Deposition Designations, and Exhibits contained in the Joint Final Pretrial Order and Counter-Deposition Designations due

July 9, 2010 Joint Final Pretrial Order, Joint Proposed Jury Instructions and Form of the Verdict

July 9, 2010 Motions in Limine due

June 29, 2010 Defendant to Identify Trial Witnesses

July 2, 2010 Response to Dispositive Motions (including *Daubert* motions)¹

Responses to dispositive motions filed prior to the dispositive motion deadline, including *Daubert* motions, shall be due in accordance with Local Rule CV-7(e). Motions for Summary Judgment shall comply with Local Rule CV56.

June 22, 2010 Plaintiff to Identify Trial Witnesses

June 22, 2010 Dispositive Motions and any other motions that may require a hearing (including *Daubert* motions)

June 18, 2010 Discovery Deadline

_____ **30** Days after claim construction ruling
Designate Rebuttal Expert Witnesses other than claims construction

Rebuttal expert witness report due
(Refer to Discovery Order for required information.)

_____ **15** Days after claim construction ruling
Comply with P.R. 3-7 re: willfulness

_____ **15** Days after claim construction ruling
Party with the burden of proof to designate Expert Witnesses other than claims construction

Expert witness report due
(Refer to Discovery Order for required information.)

¹ The parties are directed to Local Rule CV-7(d), which provides in part that “[i]n the event a party fails to oppose a motion in the manner prescribed herein, the court will assume that the party has no opposition.” Local Rule CV-7(e) provides that a party opposing a motion has **12 days, in addition to any added time permitted under Fed. R. Civ. P. 6(e)**, in which to serve and file a response and any supporting documents, after which the court will consider the submitted motion for decision.

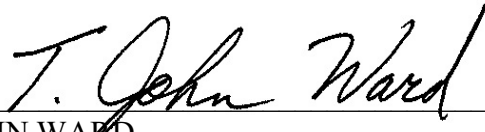
<u>May 19, 2010</u>	Claim construction hearing 9:00 a.m., Marshall, Texas.
<u>April 21, 2010</u>	Comply with P.R. 4-5(d)
<u>March 19, 2010</u>	Comply with P.R. 4-5(c)
<u>February 26, 2010</u>	Comply with P.R. 4-5(b)
<u>January 25, 2010</u>	Comply with P.R. 4-5(a)
<u>December 18, 2009</u>	Comply with P.R. 4-4 (Discovery deadline-claims construction issues)
<u>December 4, 2009</u>	Respond to Amended Pleadings
<u>November 20, 2009</u>	Amend Pleadings (It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings except to the extent the amendment seeks to add a new patent in suit. It is necessary to file a Motion for Leave to Amend after the amended pleadings date set forth herein.)
<u>October 23, 2009</u>	Comply with P.R. 4-3
<u>September 25, 2009</u>	Comply with P.R. 4-2
<u>July 20, 2009</u>	Comply with P.R. 4-1
<u>June 22, 2009</u>	Privilege Logs to be exchanged by parties (or a letter to the court stating that there are no disputes as to claims of privileged documents)
<u>June 22, 2009</u>	Join Additional Parties
<u>August 11, 2008</u>	Comply with P.R. 3-3 and P.R. 3-4
<u>June 6, 2008</u>	Comply with P.R. 3-1 and P.R. 3-2

OTHER LIMITATIONS

1. All depositions to be read into evidence as part of the parties' case-in-chief shall be **EDITED** so as to exclude all unnecessary, repetitious, and irrelevant testimony; **ONLY** those portions which are relevant to the issues in controversy shall be read into evidence.

2. The Court will refuse to entertain any motion to compel discovery filed after the date of this Order unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good faith attempt to resolve the matter. See Eastern District of Texas Local Rule CV-7(h).
3. The following excuses will not warrant a continuance nor justify a failure to comply with the discovery deadline:
 - (a) The fact that there are motions for summary judgment or motions to dismiss pending;
 - (b) The fact that one or more of the attorneys is set for trial in another court on the same day, unless the other setting was made prior to the date of this order or was made as a special provision for the parties in the other case;
 - (c) The failure to complete discovery prior to trial, unless the parties can demonstrate that it was impossible to complete discovery despite their good faith effort to do so.

SIGNED this 20th day of June, 2008.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE